IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 43 of 2007()

CRIME NO.632/06 OF OTTAPPALAM POLICE STATION.

: PETITIONERS/ACCUSED

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1. MOHANAN, S/O.VELLACHI,
   AGED 48 YEARS, PULLUVANTHODI, PILATHARA,
   OTTAPALAM TALUK, PALAKKAD DISTRICT.

2. DILEEP, S/O.MOHANAN,
   AGED 18 YEARS, DO. DO.

3. PRADEEP, S/O.MOHANAN,
   AGED 17 YEARS, DO. DO.

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS: STATE

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING THE SUB INSPECTOR,
OTTAPALAM POLICE STATION.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.43 OF 2007

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DATED THIS THE 11th DAY OF JANUARY, 2007

O R D E R

Petitioners who are accused 1, 3 and 4 in Crime No.632/06 of Ottappalam Police Station for offences punishable under sections 341, 323 and 326 read with section 34 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The occurrence took place at about 9 AM on 23.11.2006, in which the de facto complainant was hit with iron rod, sticks, etc. resulting in a fracture to his left forearm. The occurrence appears to be pre-planned. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this direction, this petition is disposed of .

V.RAMKUMAR, JUDGE

dsn